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CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY RP DEPUTY

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Attorneys for Defendant  
ZURICH AMERICAN INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

OTAY RIVER CONSTRUCTORS, a joint venture of THE WASHINGTON GROUP INTERNATIONAL, INC. and FLUOR ENTERPRISES, INC.,	) Case No.: 06CV 2631BTM (WMC)
Plaintiff,	) <b>STIPULATION REGARDING</b>
	) <b>EXPERT WITNESS DISCOVERY</b>
vs.	)
ZURICH AMERICAN INSURANCE COMPANY, an Illinois Corporation	) The Hon. William McCurine, Jr.
Defendant.	)
<u>SOUTH BAY EXPRESSWAY, L.P., a California</u> limited partnership,	)
Defendant-In-Intervention.	)

The parties hereto hereby stipulate and agree, subject to the approval of the Court that, given the pendency of further settlement discussions, including the August 1, 2007 settlement conference scheduled with Judge McCurine, and in order to avoid incurring unnecessary costs if indeed this lawsuit can be settled, the parties have agreed to request amendment of the Court's Scheduling Order of March 27, 2007 as follows:

1. The parties shall disclose the identity of their respective experts, in writing, and by both e-mail and fax to all other parties by **August 10, 2007**.

STIPULATION REGARDING EXPERT WITNESS DISCOVERY (CASE NO. 06CV 2631BTM (WMC))

2. The date for the disclosure of the identity of rebuttal experts (in writing and by fax and e-mail to all other parties) shall be on or before **August 24, 2007**.

3. On or before **August 31, 2007**, each party shall comply with the disclosure provisions of Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, which disclosures shall be made by personal delivery and/or e-mail to all parties on that date.

4. Any party shall supplement its disclosure regarding contradictory or rebuttal evidence under Rule 26(a)(2)(c) on or before **September 28, 2007**, which disclosures shall be personally served on all of the parties no later than that date and/or made by e-mail.

5. Expert discovery only is extended to allow for completion of expert discovery only on or before **October 23, 2007**.

6. All other dates and provisions as set forth in the Court's Scheduling Order of March 27, 2007 will remain the same.

IT IS HEREBY STIPULATED AS SET FORTH ABOVE:

DATED: June 4, 2007

LUCE FORWARD HAMILTON & SCRIPPS

By: 

SCOTT SONNE

Attorney for Plaintiff, Otay River Constructors

DATED: 6/4/07

COZEN O'CONNOR

By: 

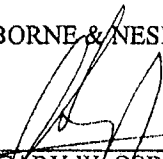
JOANN SELLECK

Attorneys for Defendant,

Zurich American Insurance Company

1 DATED: 6/6/07

OSBORNE & NESBITT

2  
3 By:   
4 GARY W. OSBORNE  
Attorneys for Defendant-in-Intervention,  
5 South Bay Expressway, L.P.

6  
7 IT IS ORDERED:

8 DATED: 6/6/07

  
HON. WILLIAM MCCURINE, JR.

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